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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,219	03/16/2004	David J. Megaw	08211/0200387-US0	3123
38845	7590	07/19/2006	EXAMINER	
DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-5257			HAN, YOUNGHUIE JESSICA	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,219

Applicant(s)

MEGAW ET AL.

Examiner

Y. J. Han

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 14-20 is/are rejected.
- 7) ☒ Claim(s) 11-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 25 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 14-16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (6,262,592).

Kim discloses an apparatus for providing an output reference voltage comprising a means for applying a bandgap reference voltage (10) across a biased portion of a voltage divider circuit (14) to provide a reference; and a means for calibrating the reference voltage (16), wherein the means for calibrating the reference voltage includes a means for adjusting a controllable portion (NMOS 31-33, R1-R6) of the voltage divider circuit. Further, Kim discloses that when the reference voltage Vref voltage from the reference voltage generator 10 is increased according to a temperature increase, a resistance value of the temperature compensation resistor R5 is increased and while the resistor R6 is decreased.

3. Claims 14-16 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by McClure (7,012,417).

McClure discloses an apparatus for providing an output reference voltage comprising a means for applying a bandgap reference voltage (116) across a biased portion of a voltage divider circuit (108) to provide a reference; and a means for calibrating the reference voltage (106, 210), wherein the means for calibrating the reference voltage includes a means for adjusting a controllable portion (208, 212) of the voltage divider circuit.

4. Claims 1-7, 14-17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Di Iorio (6,838,864).

Di Iorio discloses an apparatus for providing an output reference voltage comprising a voltage divider circuit that is coupled between the two nodes, wherein the voltage divider circuit is configured to provide the output reference voltage from a bandgap reference voltage, and wherein a controllable portion of the voltage divider circuit is arranged to calibrate the output voltage by adjusting a controllable temperature coefficient of an impedance of the controllable portion in response to a trim signal. (See Figure 3) Individual resistors of resistor ladder 304 are selected by switches 306 which are activated by the output decoder 308. The decoder is controlled by the 7 bits of vtrim signal. Hence, claims set forth no structure or method, which is different from the apparatus disclosed by Di Iorio.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 8-10, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Di Iorio (6,838,864) in view of Smith et al (6,075,354).

Di Iorio discloses the invention substantially as disclosed but does not disclose the adjustment of second-order temperature coefficient. Smith et al discloses the complex temperature variation characteristic of the reference voltage being substantially quadratic is well known in the art. Correction current I105 provides tracking correction current for adjusting the zero-order temperature coefficient, I103 compensates for the first-order temperature coefficient, and I104 compensates for the second-order temperature coefficient. Thus, it would have been obvious to one having ordinary skill in the art to apply the various temperature coefficients in the bandgap reference voltage generator of Di Iorio, as taught by Smith et al, to obtain the claimed invention for the purpose of providing stable voltage supply.

Response to Arguments

8. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

9. Claim 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. J. Han whose telephone number is 571-272-2078. The examiner can normally be reached on Mon-Fri 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl Easthom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Han
Primary Examiner
Art Unit 2838